

Implementation Support for Toxics Release Inventory

Order Number: GS-00F-252CA/EP-G18H-01464;

Title: Regulatory Development Support

Technical Directive: 2.0

Under Task(s): 1, 2, 3, 4, 5, 6, 7, 8, 9, 12

Period of Performance: December 29, 2017 to December 28, 2018

BACKGROUND

Each year regulated facilities under the Toxics Release Inventory (TRI) must submit annual reports on their toxic chemical releases and other waste management activities to EPA and the states. Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) requires EPA to respond to petitions for modifications to the covered chemical list within 180 days. In addition to this statutory requirement, the TRI Program pursues rulemaking and guidance activities to improve the regulatory clarity for reporting facilities and to ensure the list of covered chemicals and industrial sectors achieve the goals of EPCRA and the Pollution Prevention Act of 1990.

The TRI Program conducts analyses to support TRI rulemaking activities, such as those impacting the list of covered chemicals, the universe of covered industry sectors, and other reporting requirements. Such rulemakings involve analytical work to: characterize the amount of additional information that would be collected by EPA; characterize the entities that may be impacted by a forthcoming regulation, and estimate the corresponding regulatory impact on such entities (i.e., economic analyses, benefits analyses). Other rulemaking-related work includes outreach activities (e.g., meetings, event planning); develop analysis methods and conduct economic analyses; and establish system(s) for tracking and organizing comments submitted in response to outreach efforts or proposed rulemaking. Other guidance-related work includes responding to inquiries and comments from reporting entities and the public, improving current guidance documents by clarifying language and updating information as needed, and improving access to the guidance documents provided online. Additional regulatory development support will address TRI facilities' identification of their parent company on the annual reporting forms. TRI is one of the most visible EPA databases and requires facilities to submit a parent company name on an annual basis. This task is designed to help address the "corporate linking" focus area, or parent company identification, of the TRI Program by providing the ability to link facility level information back to a corporate parent.

Additionally, the TRI program has implemented a database structure ("GuideME") suited for guidance on TRI reporting and regulations. GuideME users can search TRI guidance documents for chemicals and industries, Questions & Answers, and annual Reporting Forms and Instructions (RFI) documents.

PURPOSE

The purpose of this work assignment is to obtain contractor support for: (1) TRI Program regulatory activities; (2) analyses or research in support of the TRI Program's own projects and undertakings or those from offices within EPA or other parts of the federal government; and (3) continuing contractor support for updating GuideME and guidance documents and to further centralize and access TRI guidance and correspondence.

Some analyses and information development will be assigned to the contractor on an as needed basis by the TD COR, and will be within the scope of the Technical Directive. The TD COR will provide the contractor with specific guidance and direction for the analyses and the specific information or data is to be developed.

SCOPE OF WORK

Task 1: Prepare Work Plan

The contractor shall prepare a work plan within 15 calendar days of receipt of this Technical Directive. The work plan shall outline and describe the technical approach, resources (cost estimates and staffing), and a schedule for

submitting deliverables to EPA. If necessary, the contractor shall revise the work plan within 5 calendar days of receipt.

Task 2: Provide Economic Analyses for Regulatory Activities

In reference to the Performance Work Statement, this task falls under Section 4 (“Economic Analyses and Related Support for Regulations”).

The contractor shall conduct and draft an economic analysis for a “parent company” definition rulemaking. The contractor shall expand upon a previously-conducted summary of the potential costs of various options of this proposed rulemaking, to incorporate additional EPA reporting programs upon direction of the TD COR.

Additionally, when requested by the TD COR, the contractor shall conduct and draft briefings of the economic analyses related to regulatory activities. Potential regulatory activities may include, but are not limited to: technical corrections in the Code of Federal Regulations for the *de minimis* exemption; updating TRI chemical identities; completing Information Collection Requests, and; any activities involving the TRI chemical list. The scope of the TRI regulatory activities that EPA may propose will be disclosed to the contractor when support under this task is needed. The economic analyses will quantify the costs to any affected entities (to be identified later) and characterize the benefits associated with making the facilities subject to the TRI reporting requirements. Analyses will also include an assessment of the effect of the options on small entities in accordance with the Regulatory Flexibility Act of 1980, as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996.

Task 3: Providing Any Other Support Related to the TRI Regulatory Development Activities

In reference to the Performance Work Statement, this task falls under Section 3 (“TRI Regulatory Development Activities and Related Efforts”) and Section 5 (“Development of TRI Reporting Forms and Instructions (RFI) and TRI Guidance Documents”).

Upon request, the contractor shall provide any additional support related to regulatory development activities within the TRI Program. These activities may include, but are not limited to: analyses of exposure to the chemicals included on the TRI list of toxic chemicals and the risks posed by such exposures; supporting efforts to improve the clarity and accessibility of TRI guidance documents; reviewing and updating the Reporting Forms and Instructions Guidance and Form R, Form A, and Schedule 1; support Information Collection Requests and renewals by updating instructions and forms in response to proposed and finalized changes; creating methods to track and respond to comments regarding rulemaking or outreach efforts, and; analyses of impacts on potentially-affected entities of rulemaking efforts. The TRI Program also routinely conducts analyses in support of the program’s own projects and undertakings or those of from offices within EPA or other parts of the federal government. These analyses may involve the use of other pollutant release and transfer registries. It is not known at this time specifically what analyses or information may or will be needed, or if it will be needed.

The contractor shall support the TRI Program’s parent company identification efforts for Reporting Year (RY) 2017. The contractor shall assess efforts to identify, link, standardize, and pre-populate the parent companies from RY2016 and propose any process updates for RY2017, updating the parent company methodology document as needed. Upon receipt of the initial list of facilities reporting to TRI in RY2017, the contractor shall prepare a thorough list of accurate parent companies documented from independent sources, formatted in a manner to easily input into the TRI-MEweb software, and provided to EPA in an easily usable format at least one month prior to the finalization of the National Analysis dataset for RY2017 so that EPA can contact facilities with apparent errors. At least one day prior to the finalization of the RY2017 National Analysis dataset, the contractor shall provide the final list of parent companies in an easily usable format for input to TRIPS/Envirofacts. At least one month prior to the planned release of TRI-MEweb for RY2018, the contractor shall provide an initial list of standardized parent company names for input into TRI-MEweb software. The contractor shall also compare the most recent parent company data reported to the Greenhouse Gas Reporting Program (GHGRP) to data reported to TRI in RY2017, providing a comparative analysis report within two months after GHGRP publishes their data.

Task 4: Continue Development and Support of Database and Interface

In reference to the Performance Work Statement, this task falls under Section 8 (“Support for Data Access and Analysis Tools and Analytical Guidance”).

The contractor shall continue to update the searchable guidance database so that it can feed multiple tools including systems like ECSS and TRI-MEweb, which should also be able to access data stored in this database. This access may take the form of a RESTful Web Service or through a static output (e.g., csv). EPA will work with the contractor to explore options and continue to develop the database and interfaces via EPA oversight. The contractor shall ensure that all database materials are Section 508 compliant.

As requested, the contractor shall summarize its efforts for EPA review.

Upon request, the contractor shall provide any additional support related to this project.

Task 5: Review and Incorporate Guidance Documents into Database

In reference to the Performance Work Statement, this task falls under Section 8 (“Support for Data Access and Analysis Tools and Analytical Guidance”).

The contractor shall continue to review the current data landscape as directed by EPA to ensure that all relevant guidance is incorporated into the searchable database. Specific tasks may include, but are not limited to:

- As appropriate, flag and/or comment on data that are inaccurate, confusing, out-of-date, or otherwise need review.
- Track correspondence that has been resolved, or the thread of correspondence.
- Support EPA’s updates and edits to the Questions & Answers documents within the database, including support of agency review mechanisms.

As requested, the contractor shall summarize its efforts for EPA review.

GuideME contains data that already exists in digital, database styled formats. The contractor shall investigate options and requirements for including guidance not currently in a database format (e.g., RFI, chemical and industry specific guidance documents) to ensure that the searchable database structure can handle TRI guidance in a variety of forms. The contractor shall ensure that all guidance documents within the database are Section 508 compliant.

EPA will remove outdated guidance, add new guidance, and clarify existing guidance. In addition to helping the EPA review guidance, the contractor shall work with the EPA to design the database and interface to support efforts to update the content of guidance. Such support could include, but is not limited to, incorporating review processes into the interface and enabling the tracking of and commenting on proposed changes/additions/deletions to guidance.

DELIVERABLE SCHEDULE

TASKS	ASSIGNMENTS	DUE DATE
1a.	Prepare work plan	15 calendars day of receipt
1b.	Revised work plan, if needed	5 calendar days of receipt, if needed
2.	Provide economic analyses for future regulatory activities, including the parent company rulemaking, as needed	As needed, per direction of COR WAM
3a.	Provide additional support related to TRI regulatory development activities	As needed, per direction of COR WAM
3b.	Assess parent company efforts for	July 2018

3c.	RY2016 and propose updates for RY2017 Provide initial list of standardized parent company names for EPA to contact facilities	September 2018
3d.	Provide final list of standardized parent company names for TRIPS/Envirofacts input	October 2018
3e.	Provide initial list of standardized parent company names for RY2018 TRI-MEweb input	December 2018
3f.	Provide comparative analysis of GHGRP parent company data	2 months after GHGRP data publication
4.	Continue to develop and support TRI's GuideME database functionality and user interface	As needed, per direction of COR WAM
5a.	Review and incorporate guidance into GuideME	On a continuing basis, per direction of COR WAM
5b.	Provide technical support to EPA's updates to guidance materials	As needed, per direction of COR WAM

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